

****EXPEDITED PROCESSING**
REQUESTED**

Dkt. 43966-CA-PCT-US/JPW/AJD

1648
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway et al.
Serial No.: 09/412,284 Examiner: Jeffrey S. Parkin
Filed: October 5, 1999 Group Unit: 1648
For: MONOCLONAL ANTIBODIES AND METHOD FOR INHIBITING
FUSION OF HIV-1 TO CD4⁺ CELLS

1185 Avenue of the Americas
New York, New York 10036
March 24, 2005

**Date of Notice
of Allowance: January 11, 2005**

Confirmation No.: 9473

Issue Fee Paid: February 22, 2005

Mail Stop PGPUB Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION FORWARDING FORMAL DRAWINGS

This Communication is submitted in response to the Notice of Allowability issued January 11, 2005 by the U.S. Patent and Trademark Office in connection with the above-identified application. The Notice of Allowability did not indicate that corrected drawings must be submitted, i.e., Box 6 was not checked. Accordingly, applicants paid the issue fee on February 22, 2005 without submitting formal drawings. However, applicants subsequently realized that a Notice of Draftsperson's Patent Drawing Review (Form PTO-892) had been issued together with the December 19, 2000 first Office Action. Applicants attach hereto as **Exhibit A** a copy of the PTO-892 form, which lists objections to Figures 1-6.

The PTO-892 form states that applicants are required to submit acceptable corrected drawings within the three-month shortened

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statutory period set in the Notice of Allowability. Also, according to 37 C.F.R. §1.85(c), if a corrected drawing is required or if a drawing does not comply with §1.84 at the time an application is allowed, the Office may notify the applicant and set a three month period of time from the mail date of the Notice of Allowability within which the applicant must file a corrected or formal drawing in compliance with §1.84 to avoid abandonment. Thus, formal drawings are due by April 11, 2005. Accordingly, this Communication is being timely filed.

The December 19, 2000 Notice of Draftsperson's Patent Drawing Review states that the numbers and reference characters in Figures 1-6 are not plain and legible, and that numbers, letters and reference characters must be at least 0.32 cm (1/8 inch) in height.

In response, applicants attach hereto as **Exhibit B** five replacement sheets containing corrected Figures 1-6. Applicants maintain that, in compliance with 37 C.F.R. 1.84, the numbers, letters and reference characters in these replacement figures are plain and legible, and are at least 0.32 cm in height. Applicants respectfully request that replacement Figures 1-6 be inserted after page 66 in the application.

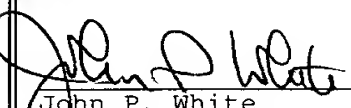
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.


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No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

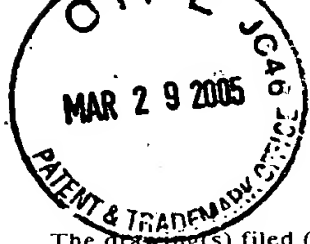
Respectfully submitted,

I hereby certify that this correspondence is being transmitted via facsimile on this date to:
Mail Stop PGPUB Drawings,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 3/24/05
John P. White Date
Reg. No. 28,678


John P. White
Registration No. 28,678
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NOTICE OF DRAFTSPERSON'S
PATENT DRAWING REVIEW



The drawing(s) filed (insert date) 10.5.99 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
Black ink. Color.

- Color drawings are not acceptable until petition is granted.
Fig(s) _____
Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84 (b)

- 1 full-tone set is required. Fig(s) _____
Photographs not properly mounted (must use bryistol board or photographic double-weight paper). Fig(s) _____
Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

- Paper not flexible, strong, white, and durable.
Fig(s) _____
Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____
Mylar, velum paper is not acceptable (too thin).
Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

- 21.0 cm by 29.7 cm (DIN size A4)
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
All drawing sheets not the same size.
Sheet(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm
SIZE: A4 Size

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: 8 1/2 x 11

Margins not acceptable. Fig(s) _____

Top (T) _____ Left (L) _____
Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

Partial views. 37 CFR 1.84(h)(2)

- Brackets needed to show figure as one entity.
Fig(s) _____
Views not labeled separately or properly.
Fig(s) _____
Enlarged view not labeled separately or properly.
Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)

- Hatching not indicated for sectional portions of an object.
Fig(s) _____
Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

- Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

- Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.
Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(i)

- Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality).
Fig(s) _____

11. SHADING. 37 CFR 1.84(m)

- Solid black areas pale. Fig(s) _____
Solid black shading not permitted. Fig(s) _____
Shade lines, pale, rough and blurred. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

- Numbers and reference characters not plain and legible.
Fig(s) 1-6
Figure legends are poor. Fig(s) _____
Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1)
Fig(s) _____
English alphabet not used. 37 CFR 1.84(p)(2)
Figs _____
Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3)
Fig(s) 1-6

13. LEAD LINES. 37 CFR 1.84(q)

- Lead lines cross each other. Fig(s) _____
Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

- Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

- Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. CORRECTIONS. 37 CFR 1.84(w)

- Corrections not made from prior PTO-948 dated _____

17. DESIGN DRAWINGS. 37 CFR 1.152

- Surface shading shown not appropriate. Fig(s) _____
Solid black shading not used for color contrast.
Fig(s) _____

COMMENTS

REVIEWER Jc

DATE 10.27.99 TELEPHONE NO. 203 305 5430

ATTACHMENT TO PAPER NO. 10

INFORMATION ON HOW TO EFFECT DRAWING CHANGES



1. Correction of Informalities--37 CFR 1.85

File new drawings with the changes incorporated therein. The application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application, should be placed on the back of each sheet of drawings in accordance with 37 CFR 1.84(c). Applicant may delay filing of the new drawings until receipt of the Notice of Allowability (PTOL-37). Extensions of time may be obtained under the provisions of 37 CFR 1.136. The drawing should be filed as a separate paper with a transmittal letter addressed to the Drawing Processing Branch.

2. Timing for Corrections

Applicant is required to submit **acceptable** corrected drawings within the three-month shortened statutory period set in the Notice of Allowability (PTOL-37). If a correction is determined to be unacceptable by the Office, applicant must arrange to have acceptable corrections resubmitted within the original three-month period to avoid the necessity of obtaining an extension of time and paying the extension fee. Therefore, applicant should file corrected drawings as soon as possible.

Failure to take corrective action within set (or extended) period will result in **ABANDONMENT** of the Application.

3. Corrections other than Informalities Noted by the Drawing Review Branch on the Form PTO-948

All changes to the drawings, other than informalities noted by the Drawing Review Branch, **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.